



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPL NO.	FILING OR 371 (c) DATE	ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLMS	IND CLMS
10/601,242	06/20/2003	1636	972	ISIS-5213	2	23	5

32650
WOODCOCK WASHBURN LLP
ONE LIBERTY PLACE - 46TH FLOOR
PHILADELPHIA, PA 19103

RECEIVED

OCT 13 2003

CONFIRMATION NO. 6684

FILING RECEIPT



OC000000011005025

Woodcock Washburn

Date Mailed: 10/08/2003

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections, facsimile number 703-746-9195. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

Phillip Dan Cook, Vista, CA;
Brett P. Monia, Carlsbad, CA;

Assignment For Published Patent Application

ISIS Pharmaceuticals, Inc.;

Domestic Priority data as claimed by applicant

This application is a CON of 09/951,052 09/12/2001
which is a DIV of 09/453,514 12/01/1999 PAT 6,326,199
which is a DIV of 09/144,611 08/31/1998 PAT 6,146,829
which is a DIV of 08/861,306 04/21/1997 PAT 5,856,455
which is a DIV of 08/244,993 06/21/1994 PAT 5,623,065
which is a 371 of PCT/US92/11339 12/23/1992
and a CIP of 07/814,961 12/24/1991
and a CIP of 08/007,996 01/21/1993

Foreign Applications

If Required, Foreign Filing License Granted: 10/07/2003

Projected Publication Date: 01/15/2004

Non-Publication Request: No

Early Publication Request: No

RECEIVED

OCT 16 2003

Kathy Kenney
Woodcock Washburn

OCT 13 2003

Title

Gapped 2' modified oligonucleotides

Preliminary Class

435

**LICENSE FOR FOREIGN FILING UNDER
Title 35, United States Code, Section 184
Title 37, Code of Federal Regulations, 5.11 & 5.15**

GRANTED

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Office of Export Administration, Department of Commerce (15 CFR 370.10 (j)); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

NOT GRANTED

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).



10-21-03

POCKET NO.: ISIS-5213

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

Cook, et al.

Application No.: 10/601,242

Filing Date: June 20, 2003

For: Gapped 2-Modified Oligonucleotides

Confirmation No.: 6684

Group Art Unit: 1636

Examiner: Not Yet Assigned

EXPRESS MAIL LABEL NO.: EV325642454US
DATE OF DEPOSIT: October 20, 2003

Office of Initial Patent Examination
Customer Service Center
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450
Attention:

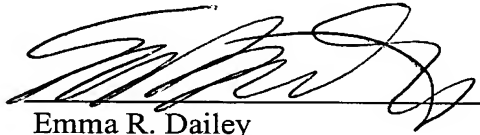
REQUEST FOR CORRECTED FILING RECEIPT

1. Enclosed is a copy of the Official Filing Receipt received from the PTO in the above application for which issuance of a Corrected Filing Receipt is respectfully requested. The requested changes are noted thereon, as well as listed below.
2. Attached is a copy of the Preliminary Amendment filed on June 30, 2003 which amended the specification to reflect the correct priority information. A copy of the stamped postcard evidencing timely receipt of the preliminary amendment listing the claim to priority is also enclosed

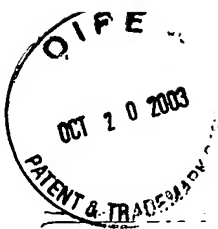
Error in	Correct data
PRIORITY DATA	This application is a CON of 09/951,052 09/12/01 which is a DIV of 09/453,514 12/01/1999 PAT 6,326,199 which is a DIV of 09/144,611 08/31/1998 PAT 6,146,829 which is a DIV of 08/861,306 04/21/1997 PAT 5,856,455 which is a DIV of 08/244,993 06/21/1994 PAT 5,623,065 which is a 371 of PCT/US92/11339 12/23/1992 and a CIP of 07/814,961 12/24/1991 and a CIP of 08/007,996 01/21/1993

Please charge any deficiency or credit any overpayment to Deposit Account No. 23-3050.

Date: October 20, 2003


Emma R. Dailey
Registration No. 48,491

Woodcock Washburn LLP
One Liberty Place - 46th Floor
Philadelphia PA 19103
Telephone: (215) 568-3100
Facsimile: (215) 568-3439



JWC/JL (C)

**RECEIVED BY THE UNITED STATES
PATENT AND TRADEMARK OFFICE**

Paper:

Patent Application Transmittal Letter (in dup w/Express Mail sticker); Continuation Application (total pages 1 - 61) including: Specification on pages 1 - 50, 48 claims on pages 51 - 60 and abstract on page 61; 2 Sheets of formal drawings comprising Figure(s) 1, and 2; Preliminary Amendment; EXECUTED Combined Declaration and Power of Attorney; Associate Power of Attorney; return receipt postcard; check in the amount of \$890.00; all via Express Mail No. EV 325636649 US

Applicant(s): Phillip Dan Cook; and Brett P. Monia

Title: Gapped 2'-Modified Oligonucleotides

Serial No.: Not Yet Assigned

Filed: Herewith

Docket No.: ISIS-5213

Date Sent: June 20, 2003

Sent by: J.W.Caldwell / J.Lucci / E.R.Dailey / mnlogan

17363 U.S. PTO
10/601242
06/20/03





IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Phillip Dan Cook; and Brett P. Monia

Confirmation No.: **Not Yet Assigned**

Application No.: **Not Yet Assigned**

Group Art Unit: **Not Yet Assigned**

Filing Date: **Filed Herewith**

Examiner: **Not Yet Assigned**

For: **Gapped 2'-Modified Oligonucleotides**

EXPRESS MAIL LABEL NO: EV 325636649 US
DATE OF DEPOSIT: June 20, 2003

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

PRELIMINARY AMENDMENT

Prior to examination on the merits, Applicants respectfully request entry of the following amendments, without prejudice, as indicated below:

- ☒ **Amendments to the Specification** begin on page 2 of this paper.
- ☒ **Amendments to the Claims** are reflected in the listing of the claims which begins on page 3 of this paper.
- ☐ **Amendments to the Drawings** begin on page _____ of this paper and include an attached replacement sheet.
- ☒ **Remarks/Arguments** begin on page 14 of this paper.

Amendments to the Specification:

On page 1, under the title "GAPPED 2'-MODIFIED OLIGONUCLEOTIDES", please enter the following heading and paragraph:

CROSS-REFERENCE TO RELATED APPLICATIONS

This patent application is a continuation of Application Serial No. 09/951,052, filed September 12, 2001, which is a divisional of Application Serial No. 09/453,514 filed December 1, 1999 (now U.S. Patent No. 6,326,199), which is a divisional of Application Serial No. 09/144,611 filed August 31, 1998 (now U.S. Patent No. 6,146,829), which is a divisional of Application Serial No. 08/861,306, filed on April 21, 1997 (now U.S. Patent No. 5,856,455), which is a divisional of Application Serial No. 08/244,993, filed on June 21, 1994 (now U.S. Patent No. 5,623,065), which was filed as International Patent Application PCT/US92/11339, on filed December 23, 1992. Application Serial No. 08/244,933 is a continuation-in-part of Application Serial No. 07/814,961, filed on December 24, 1991, now abandoned, and of Application Serial No. 08/007,996, filed on January 21, 1993, now abandoned. The disclosures of each of the foregoing applications is hereby incorporated by reference in its entirety.